UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In Re:)
)
MICHAEL C WENSEL   )   Case No. 99-47608-172
TRACY L WENSEL   )
        Debtors.   )   Chapter 7

MOTION TO REPOPEN CASE, DEFER OR WAIVE FILING FEE, REAPPOINT TRUSTEE, AND SET ASIDE REPORT OF NO DISTRIBUTION

COMES NOW, Robert J. Blackwell, Trustee, and for his Motion to Reopen Case pursuant to 11 U.S.C. §350(b), Defer or Waive Filing Fee, Reappoint Trustee, and Set Aside Report of no Distribution, states to the Court as follows:

1.   Michael C Wensel and Tracy L Wensel ("Debtors") filed a voluntary petition under Chapter 7 of Title 11, United States Code on July 16, 1999.

2.   Robert J. Blackwell ("Trustee") was appointed the Chapter 7 Trustee in Debtors' case.

3.   This Court has jurisdiction over this matter pursuant to 28 U.S.C. §151 and §1334 and Local Rule 9.01 of the United Sates District Court for this District.

4.   This matter constitutes a "core" proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (O).

5.   Venue is proper pursuant to 28 U.S.C. §1409.

6.   The Trustee brings this Motion to Reopen pursuant to 11 U.S.C. §350(b), Federal Rule of Bankruptcy Procedure 5010, and L.R. 9062.

7.   This Court may consider this Motion without hearing pursuant to L.R. 9062.

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8.   After investigating the Debtors' financial affairs, Trustee filed a Report of No Distribution on August 18, 1999.

9.   The Trustee has received notification that the Debtor may have additional assets which may constitute a previously unknown and non-disclosed class action lawsuit, in which the Debtors have a claim against their home mortgage lender which allegedly charged fees and costs at closing in violation of Missouri law.

10.   Pursuant to 11 U.S.C. §350(b) of the Bankruptcy Code, a case may be "reopened in the court in which such case was closed to administer assets, to accord relief to the debtor, or for other cause."

11.   The Trustee is reopening the case to be able to file all sufficient documentation and administer upon said asset for the benefit of the Bankruptcy Estate.

12.   The Trustee requests that the case be reopened, his Report of No Distribution be set aside, and the filing fee for this Motion be deferred to be paid by the Bankruptcy Estate at the close of this case.

13.   The Trustee is requesting that he be reappointed as Trustee in this case in accordance with Federal Rule of Bankruptcy Procedure 5010, as the reappointment of Trustee is necessary to protect the interest of creditors and the debtors and to insure the efficient administration of the case.

WHEREFORE, the Trustee prays this Honorable Court make and enter its Order granting the Trustee's Motion to Reopen case pursuant to §350(b), Defer or Waive Filing Fee, Reappoint Trustee, and Set Aside Report of No Distribution; granting the reopening of Debtors' Chapter 7 Bankruptcy Estate; granting the

deferring the filing fee for reopening with the fee paid from the Bankruptcy Estate at the close of administration provided assets are recovered and there are no distributions from the Bankruptcy Estate; granting the setting aside of the Report of No Distribution; granting the directing of the U.S. Trustee to reappoint Trustee as trustee of this Bankruptcy Estate; and for such other and further orders as the Court deems just and proper.

Respectfully submitted,
Blackwell & Associates, P.C.

/s/ Robert J. Blackwell
Robert J. Blackwell / 23179MO
Chapter 7 Trustee
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CERTIFICATE OF SERVICE

I, Christie Thomas, hereby certify that the foregoing was electronically filed with the United States Bankruptcy Court for the Eastern District of Missouri on the 3rd day of December, 2012. In addition to those parties served with this document by the Court's CM/ECF system, the undersigned served a true and complete copy of this document by first class mail upon the Debtors at the address below.

Michael C Wensel and Tracy L Wensel
131 Reasor Dr
Saint Louis, MO 63135--115

/s/ Christie Thomas

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